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# MCGLEW AND TUTTLE, P.C.

PATENT, TRADEMARK, COPYRIGHT, AND UNFAIR COMPETITION CAUSES

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SCARBOROUGH, NEW YORK 10510-9227

ATTORNEY DOCKET NO: 71034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : HOLMES  
Serial No : 10/664,703  
Confirm. No : 5196  
Filed : September 18, 2003  
For : BALL-AND-SOCKET...  
Art Unit : 3679  
Examiner : Michael P. Ferguson  
Dated : April 6, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS PAPER FOR SERIAL NO. 10/664,703 (3 PAGES IN ALL) IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE FACSIMILE NUMBER 1-703-872-9306 ON THE DATE SHOWN BELOW.

Toni Ann Forte  
NAME OF PERSON SIGNING CERTIFICATION

Toni Ann Forte  
SIGNATURE

DATED: April 6, 2005  
McGLEW AND TUTTLE, P.C.  
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RESPONSE TO REQUIREMENT UNDER 35 USC § 121

Applicant hereby elects Invention I with claims 1 - 9, 28 and 29 drawn to a ball-and-socket joint. Applicant further elects Species 1 shown in Figures 11 - 13. Applicant notes that claims 1, 2, 7 and 8 are sub-generic as they are readable on Species 1, 2 and 3. Claims 1 - 4, 7 and 8 are readable on the elected species.

Favorable action on the merits is requested.

Respectfully submitted  
for Applicant,

By:

  
John James McGlew

Registration No. 31,903

MCGLEW AND TUTTLE, P.C.

JJM:tf  
71034.9

**DATED:** April 6, 2005  
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